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TRANSMITTAL FORM

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Total Number of Pages in This Submission: 44

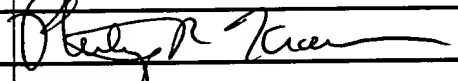
Application Number	09/759,215
Filing Date	January 16, 2001
First Named Inventor	Krause
Art Unit	2162
Examiner Name	Fred Ehichioya
Attorney Docket Number	

ENCLOSURES *(Check all that apply)*

- [x] Fee Transmittal Form
  - [x] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [x] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [ ] Other Enclosure(s) (please Identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
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Date	March 6, 2006	Reg. No.	

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006

☑ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 250.00

Complete if Known	
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METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims		Extra Claims	Fee ($)		Fee Paid ($)
_____	- 20 or HP =	_____	x _____	=	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims		Extra Claims	Fee ($)		Fee Paid ($)
_____	- 3 or HP =	_____	x _____	=	_____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof	Fee ($)		Fee Paid ($)
_____	- 100 =	_____	/ 50 =	_____ (round up to a whole number)	x _____	=	_____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2402 Filing a brief in support of an appeal, small entity	$250.00

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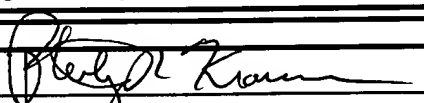
Signature		Registration No. (Attorney/Agent)	Telephone 301-365-8555
Name (Print/Type)	Philip R. Krause		Date March 6, 2006

In the United States Patent and Trademark Office

Appn. Number:	09/759,215
Appn. Filed:	January 16, 2001
Applicants:	Thomas W. Krause and Philip R. Krause
Customer #:	35197
Title:	Method and apparatus for providing customized date information
Examiner/GAU:	Fred I. Ehichioya/2162
Date:	March 6, 2006

Appeal Brief

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The attached appeal brief is submitted, together with the appropriate appeal fee, pursuant to 37 CFR 41.37. The corresponding notice of appeal was filed on January 4, 2006.

APPEAL BRIEF

As an applicant not represented by a registered practitioner [37 CFR 41.37(c)(1)], the appellant pro se understands that this brief is required only to substantially comply with the requirements of 37 CFR 41.37(c)(1)(i)-(iv) and (c)(1)(vii)-(x) [MPEP 1206]. In this brief, the appellant will attempt to address all of the items (i) through (x), with the understanding that the critical components required for acceptance of this brief are items (i)-(iv) and (vii)-(x).

(i) Real party in interest.

The real party in interest is the appellant pro se, Philip R. Krause.

(ii) Related appeals and interferences.

To the knowledge of the appellant pro se, there are no related appeals or interferences.

(iii) Status of claims.

Claims 1-6 and 8-22 are currently pending. All pending claims stand rejected in the final office action (O.A.) of 10/4/05.

Claims 1-6, 14, 15, 18, 21, and 22 stand rejected under 35 U.S.C. 103(a) as being non-patentable over Non-patent literature "Since you were born" published by St. Louis Zoological Park on April 13, 1998. . . and created by NETG (hereinafter "NETG") in view of Non-patent literature "Half-life", a fictional short story published by Tom Ruane (hereinafter "Ruane").

Claims 8, 12, 16, and 19 stand rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane, and further in view of USPN 6,069,848 issued to Thomas B. McDonald, et al. (hereinafter "McDonald").

Claim 13 stands rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane, and further in view of USPN 5,031,161 issued to David Kendrick (hereinafter "Kendrick").

Claims 9, 10, 11, 17 and 20 stand rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane and McDonald, and further in view of USPN 5,983,200 issued to Benjamin Slotznick (hereinafter "Slotznick").

(iv) Status of amendments.

No amendments were submitted or filed subsequent to the final rejection.

(v) Summary of claimed subject matter

The **claimed invention** is a computer-implemented method for providing a user with age-event information comprising:

a) receiving an input signal;

b) determining age information from said input signal;

c) using said age information to search a database for age-event information corresponding to said age information; and

d) providing an output signal comprising age-event information corresponding to said age information;

wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.

The following chart shows locations in the specification where limitations associated with independent or dependent claims in means plus function or step plus function format are described:

CLAIM		DISCLOSURE
14	A computer system for providing age-event information, comprising:	
	a) computer processor means for processing data;	FIG. 1 and description, pp. 9-10
	b) storage means for storing data on a storage medium;	FIG. 1 and description, pp. 9-10
	c) means for receiving input;	FIG. 1 and description, pp. 9-10
	d) means for determining age information from said input;	FIG. 2 and description, pp. 10-12
	e) means for using said age information to search a database for age-event information corresponding to	FIG. 2 and description, pp. 10-12

	said age information; and f) means, responsive to said age-determining means, for outputting age-event information to a user; wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.	FIG. 2 and description, pp. 10-12
15	The computer system of claim 14, further comprising means for generating a celebrity ageliner, wherein said celebrity ageliner names a celebrity and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity.	FIGS. 3 and 4, pp. 12-13
16	The computer system of claim 14,	FIGS. 13 and 14, pp. 22-27

	further comprising means for generating a customized greeting from the user to a first individual, said greeting comprising age-event information.	
17	The computer system of claim 14, further comprising means for generating a customized calendar, said calendar containing age-event information for at least two dates.	FIGS. 10-12, pp. 16-22
18	18) A computer memory storage device encoded with a computer program for using a computer system to provide age-event information comprising: a) means for receiving input; b) means for determining age information from said input; c) means for using said age information to search a database for age-event information corresponding to said age information; and	FIG. 1 and description, pp. 9-10 FIG. 1 and description, pp. 9-10 FIG. 2 and description, pp. 10-12 FIG. 2 and description, pp. 10-12

	d) means for providing age-event information as output; wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.	FIG. 2 and description, pp. 10-12
19	The computer memory storage device of claim 18, further comprising means for generating a customized greeting from the user to said first individual, said greeting comprising age-event information.	FIGS. 13 and 14, pp. 22-27
20	The computer memory storage device of claim 18, further comprising means for generating a customized calendar, said calendar containing age-event information for at least two dates.	FIGS. 10-12, pp. 16-22

(vi) Grounds of rejection to be reviewed on appeal

Claims 1-6, 14, 15, 18, 21, and 22 stand rejected under 35 U.S.C. 103(a) as being non-patentable over Non-patent literature "Since you were born" published by St. Louis Zoological Park on April 13, 1998. . . and created by NETG (hereinafter "NETG") in view of Non-patent literature "Half-life", published by Tom Ruane (hereinafter "Ruane").

Claims 8, 12, 16, and 19 stand rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane, and further in view of USPN 6,069,848 issued to Thomas B. McDonald, et al. (hereinafter "McDonald").

Claim 13 stands rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane, and further in view of USPN 5,031,161 issued to David Kendrick (hereinafter "Kendrick").

Claims 9, 10, 11, 17 and 20 stand rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane and McDonald, and further in view of USPN 5,983,200 issued to Benjamin Slotznick (hereinafter "Slotznick").

(vii) Argument

After summarizing the references cited in the final rejection, the arguments related to each of the claim rejections are made.

Summary of the references cited in the final rejection.

Prior to presenting the appellant's argument, appellant will first discuss the references relied upon by the PTO in the final rejection of claims 1-6, 14, 15, 18, 21, and 22, based on combinations of NETG and Ruane, of claims 8, 12, 16, 19 on the combination of NETG, Ruane, and McDonald, of claim 13 on the combination of NETG, Ruane, and Kendrick, and of claims 9, 10, 11, 17 and 20 on the combination of NETG, Ruane, McDonald, and Slotznick.

NETG (non-patent literature) describes a computer implemented program, made available to visitors of a zoological park that accepts a date as input, and displays a list of events that have occurred since that date. In this specific implementation, the date is designated as a birthdate, and the events are indicated as events that occurred "since you were born."

Ruane (non-patent literature) is a work of fiction, published in the Southern Journal (which, according to its web site (http://www.lsu.edu/thesouthernreview/), "publishes fiction, poetry, critical essays, interviews, book reviews, and excerpts from novels in progress, with emphasis on contemporary literature in the United States and abroad, and with special interest in southern culture and history." In Ruane's fictional short story, "Half-

life," the protagonist proposes to develop a computer program that accepts a birthdate as input, and provides a calendar that includes entries describing events that occurred in the lives of famous individuals when they were the same age as an individual with the birthdate would be on the date corresponding to each entry. This idea is soundly ridiculed by another character in the story. In Ruane, the reader is left to guess whether the program was actually ever implemented (even in fiction), and the text provides no information regarding how such a program might be written or constructed.

McDonald (USPN 6,069,848) provides a mechanical device (akin to a stopwatch) that measures elapsed time starting at one or more events.

Slotznick (USPN 5,983,200) provides an electronic greeting card.

Kendrick (USPN 5,031,161) provides a life expectancy timepiece that reports an individual's life expectancy based on that individual's current age and other information, at any given time.

A. Claims 1-6, 14, 15, 18, 21, and 22 are rejected under 35 U.S.C. 103 over NETG in view of Ruane.

In addressing this rejection, the Appellant will address the following claim groupings: Independent claims 1, 14, and 18 (group 1), Claims 2 and 15 (group 2), Claim 4 (group 3), and claims 21 and 22 (group 4). Because all of the other claims are dependent upon claims 1, 14 or 18, a successful argument on these claims will also apply to the others.

1. Independent claims 1, 14 and 18.

The appellant believes that the final Office Action rejecting the pending claims was in error, and thus submits this appeal. Specific errors in application of the Graham factual inquiries (i.e., [1] Determining the scope and contents of the prior art; [2] Ascertaining the differences between the prior art and the claims in issue; [3] Resolving the level of ordinary skill in the pertinent art; and [4] Evaluating evidence of secondary considerations) are described in the text of the appeal. Major errors have been committed by the PTO in determining the scope and contents of the prior art (discussed throughout this appeal, especially with reference to asserted disclosures in the prior art of age-event information using definitions inconsistent with those in the specification and the claims, and with reference to identification of the appropriate prior art), ascertaining the differences between the prior art and the claims in issue (further discussed in section 1.a.), resolving the level of ordinary skill in the pertinent art (further discussed in section 1.b.I and 1.b.II), and evaluating evidence of secondary considerations (further discussed in section 1.b.III and 1.b.IV).

a. Specific limitations in independent claims 1, 14, and 18 are not described in the prior art relied on in the rejection.

In addressing this point, the appellant will go through the language of the independent claim 1 (in bold), and will discuss the relevance (or lack thereof) of the prior art relied on in the rejection with respect to each limitation.

1) A computer-implemented method for providing a user with age-event information comprising:

a) receiving an input signal;

According to the final O.A., step a) is disclosed by NETG "(see page 9: the input signal is the birthdate entered. In this case the birthdate entered is "August 30, 1955")."

b) determining age information from said input signal;

According to the final O.A., step b) is disclosed by NETG "(see page 10: the age information determined is 'Your birthdate is Tue 20-Aug-1955')". However, based on the "wherein" clause of claim 1, in order to meet the limitation of step b), the age information must "comprise the age of a first individual on a specific date." Clearly, the information provided by NETG does not comprise the age of a first individual on a specific date, but merely regurgitates a birthdate that was input in step a). Thus, NETG does not disclose step b). While the PTO might argue that the provided information might indicate an age of "0" on a birthdate, this interpretation is completely incompatible with the subsequent steps, and thus would not diminish the appellant's argument.

c) using said age information to search a database for age-event information corresponding to said age information; and

According to the final O.A., step c) is disclosed by NETG "(see page 10: the age information entered is "August 30, 1955", and as shown on page 10, paragraph 3, this age information "1955" was used to searched (sic) the database in other (sic) to determine that 'Average life expectancy at

birth has increased for females. In 1955, it was 72.8 years. In 1955 (sic) it had increased to. . .. In 1955 (sic) it had increased to 72.8 years')". However, based on the "wherein" clause, the age information must "comprise the age of a first individual on a specific date." Clearly, the information used by NETG does not comprise the age of a first individual on a specific date, but instead indicates a year input by the user. Also, as specified in the claim, to meet the limitation of step c), the "age-event information must comprise information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date." Clearly, the information provided by NETG does not meet this test. Thus, NETG does not disclose step c).

d) providing an output signal comprising age-event information corresponding to said age information;

According to the final O.A., step d) is disclosed by a combination of NETG and Ruane.

The O.A. cites NETG "(see page 10: output signal comprises age-event information corresponding to said age information is the age calculated in days from the birth-date entered 'You have be (sic) alive for 18117 days'). Wherein said age information comprises the age of a first individual on a specific date (see page 10, paragraphs 1and (sic) 2: 'Your birthday is Tue 30-Aug-1955'; 'You have be (sic) alive for 18117 days')". Thus, on April 6, 2005, an individual with a birthdate of 8/30/1955 was

18117 days old. The O.A. does not describe an output signal in NETG that comprises age-event information.

In the O.A., the Examiner appears to rely upon Ruane to describe the output signal of step d). The O.A. states that "NETG does not explicitly teach said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific data (sic) as claimed." The O.A. goes on to claim, "However, Ruane teaches said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific data (sic) (see page 5, paragraph 6: 'I send you your own calendar. On each day there's some notable achievement done by a person who was exactly as old as you are on that day. For example tomorrow I'll be the same age Jack Kerouac was the day on the Road was first published' (sic))." However, in the O.A., the Examiner makes no effort to link this information from Ruane to steps a) through c), much less to the output signal in step d). Thus, although Ruane does contain a description of age-event information that would meet the limitations of the "wherein" clause, the appellant disputes that this has any relationship to "said age information" in the claim. In addition, Ruane provides no information on how a program that provides age-event information should be implemented. An even more serious defect of

Ruane is that it is non-analogous art, and therefore not combinable with NETG, as discussed below in section 1.b.

In the O.A., the Examiner goes on to state, "It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Ruane's teaching of 'an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date' would have allowed NETG's system to provide a personalized calendar showing notable achievement done by a person at your age on specific period. The motivation is that the calendars produced with the right equipment and business strategy could make a future as suggested by Ruane at page 5, paragraph 7."

While the issue of the propriety of combining these references will be addressed separately in section I.b, the appellant would like to point out that combining Ruane and NETG in the manner suggested still would not produce the Appellant's invention. NETG is inherently unsuited to providing age-event information, and does not provide age-event information, as defined in the specification and claims. All that NETG does is to provide as output events that came after a specific input date. Providing information about events that came after a specific date is completely different from receiving an input signal; determining age information from said input signal; using said age information to search a database for age-event information corresponding to said age information;

and providing an output signal comprising age-event information. Among other things, the database used by NETG is unsuited to providing age-event information, because it does not contain age-event information.

There also is no teaching that would enable one to modify NETG to provide "a personalized calendar showing notable achievements done by a person at your age" on a specific *date*, which would be required for the calendar to comprise age-event information.

As specified in the claim, to meet the limitation of step d), the age-event information must comprise information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.

wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.

According to the final O.A., Ruane discloses "age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date." However, this "wherein" clause contains limitations concerning age information and age event information that apply to all steps of the invention. Disclosure of limitations in a "wherein" clause that applies to multiple inventive steps is not equivalent to disclosure of the limitations imposed by that clause in those inventive steps (a-d). The Examiner appears to be mis-interpreting the "wherein" clause as only applicable to step (d), when it is

in fact applicable to all steps of the invention. The wherein clause is not a step, but is instead a limitation that applies to all steps of the invention, and thus is not separately teachable by a reference like Ruane.

The Examiner's response to this deficiency in Ruane appears to be to insist that NETG teaches age-event information in steps (a)-(c). However, the term "age-event information" is defined multiple times in the specification, in a way that clearly excludes the Examiner's erroneous interpretation that NETG provides age-event information.

For example, the specification (page 7) defines age-event information as

> "information in the age-event database. This information typically comprises a record of a database, which contains the name of an individual, an event that occurred in the life of that individual, and the age (or information sufficient to calculate the age) of that individual at the time of that event. In some embodiments, two connected databases—one containing name and event information, and one containing name and age information—are used."

The term "age-event database" is further defined in the specification (page 2, line 21 to page 3, line 1):

> "The age-event database contains information about events in the lives of individuals (potentially including famous individuals, fictional characters, and/or individuals known to a user), where each event can be correlated to the age of the individual or individuals involved in the event."

The age-event database is further described in FIGS. 8 and 9, and the accompanying description (Specification, pp. 14-16), and elsewhere in the text of

the specification. The specification contains multiple examples of the use of the term age-event information in this context. As the patentee is permitted to be his own lexicographer (See *Hormone Research Foundation Inc. v. Genentech Inc.*, 904 F.2d 1558 (Fed. Cir. 1990)), the definition in the specification applies to the claims. The Examiner's repeated assertion that NETG or other references (see discussion of various dependent claims) teach age-event information is clearly incorrect in light of this definition.

b. Features disclosed in one reference may not properly be combined with features disclosed in another reference to arrive at claims 1, 14 or 18.

The final O.A. makes clear that individually, none of the prior art references anticipates or renders the present invention obvious.

I. Ruane is not analogous art to NETG and would not have been known or considered by a person with ordinary skill in the art.

Resolving the level of ordinary skill in the pertinent art is the third Graham inquiry. The Examiner has failed to show that a person with ordinary skill in the art would have known or considered Ruane.

In order to combine two prior art references, they must be analogous. According to the Federal Circuit decision in Princeton Biochemicals, Inc., vs. Beckman-Coulter, Inc., 411 F.3d 1332 (Fed. Cir. 2005):

> The district court also properly found that the references for this obviousness analysis were proper prior art. A reference is appropriate prior art if within the field of the inventor's endeavor. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc., 796 F.2d 443, 449 (Fed. Cir. 1986). Alternatively, a reference qualifies as prior art if "reasonably pertinent to the particular problem with which the inventor was involved." Id. "A reference is reasonably pertinent if, even though it may be in a different

> field of endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem." In re GPAC Inc., 57 F.3d 1573, 1578 (Fed. Cir. 1995) (quotations and citations omitted).

According to the Examiner, the field of the inventor's endeavor is that of data processing (O.A. page 8, line 21 and page 11, line 3). While NETG, which represents a computer implemented program, may arguably be considered to belong to the data processing art, there is no reason to consider Ruane to be a part of the data processing art. There is no evidence that an individual with ordinary skill in the data processing art would be motivated to read works of fiction in *Southern Review*, which is a literary, not a scientific journal. Thus, as non-analogous art, these references may not be combined.

According to the Federal Circuit decision in Princeton, an exception can be made if, because of the matter with which it deals, a reference would logically have commended itself to an inventor's attention. However, the Examiner has not described any basis on which Ruane, a fictional article in an obscure literary journal, would logically have commended itself to an inventor's attention in the context of the present invention, and no such basis appears to exist. The Appellant can understand how a work of fiction that taught all claim limitations might defeat patentability on the basis of lack of novelty. However, the Appellant is unable to identify any U.S. Board or court decision in which an Examiner's reliance on a work of fiction in an obviousness rejection has been considered, much less upheld. Indeed, the fact that a work of fiction would almost necessarily be non-analogous to any technical endeavor (as it certainly is in this

case) would seem to preclude use of fictional works in most obviousness rejections.

II. No convincing motivation to combine NETG with Ruane is described in the references or in the knowledge generally available to one of ordinary skill in the art.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. No such suggestion or motivation exists in either reference or in the knowledge generally available to one of ordinary skill in the art at the time the application was filed.

In the final O.A. (page 8, and substantially repeated on pages 9 and 11), the Examiner argues:

> It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Ruane's teaching of 'an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date' would have allowed NETG's system to provide a personalized calendar showing notable achievement done by a person at your age on specific period. The motivation is that the calendars produced with the right equipment and business strategy could make a future as suggested by Ruane at page 5, paragraph 7."

The Examiner appears to be arguing that an individual with ordinary skill in the art would have been motivated to combine NETG with Ruane because it is

possible to do so, and because Ruane suggests that the outcome of such a combination would have value.

However, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination [In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)]. The Examiner "must explain the reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious" [In re Rouffet, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998)].

Moreover, according to MPEP 2143.01 [emphasis added]:

> Obviousness can only be established by combining or modifying the teachings of the prior art **to produce the claimed invention** when there is some teaching, suggestion, or motivation **to do so** found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.. . . In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) . . . In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Ex parte Levengood, 28 USPQ2d 1300, 1302 (Bd. Pat. App. & Inter. 1993) further states that obviousness cannot be established by combining references "without also providing evidence of the motivating force which would impel one skilled in the art **to do what the patent applicant has done**" (emphasis added). In order to combine NETG and Ruane, it is necessary to find specific motivation to combine them to *produce the claimed invention*. Showing that it is possible to combine the references does not meet this test.

The motivation to combine, as argued by the Examiner, comes solely from Ruane (which is fictional non-analogous art, see above). As fiction, it is hard to take seriously the Examiner's assertion that Ruane provides motivation for a combination based on a fictional character's concept of a business strategy. Furthermore, the protagonist's brother (Peter) expresses significant doubt regarding whether this strategy could work (Ruane, page 6, paragraphs 7-9). Thus, there is no reason to believe that Ruane meant to seriously propose a motivation for any invention, much less a combination with NETG, and no indication why, if he proposed to do so, he would have chosen a fictional short story as his vehicle.

III. NETG and Ruane are individually complete.

Because NETG describes a complete computer program (see above summaries), and because Ruane is a complete work of fiction, each reference further lacks motivation for any combinations with other references. NETG is complete and functional in itself, so there would be no reason to use parts from, or add or substitute parts to it. Ruane, also, is a complete short story. As a short story, it simply would not make sense, after publication, to change or combine details of the story based upon technical literature.

The purpose of NETG does not overlap with the purpose of the current invention. NETG simply outputs a list of events that have occurred since any specific date that is provided as input. NETG does not provide age-event information, as defined in the claims and in the specification. Thus, there would

be no reason to use NETG in the context of an invention that provides age-event information.

IV. Ruane is not an invention.

As a work of fiction, Ruane is not an invention. Although Ruane does describe age-event information, Ruane contains no enablement. Thus, it is inappropriate to use Ruane in any combination of references to arrive at the Appellant's invention. Moreover, as noted above, the Appellant is unable to identify any U.S. Board or court decision in which an Examiner's reliance on a work of fiction in an obviousness rejection has been considered, much less upheld.

2. Claims 2 and 15

In the final O.A., claims 2, 15 and 22 are rejected based upon a combination of NETG and Ruane:

> Regarding claims 2, 15, and 22, NETG teaches wherein the input signal comprises a date (see page 9: the date of the input signal "August 30, 1955"), and
>
> Ruane teaches the output signal comprises a celebrity ageliner, wherein said celebrity ageliner names a celebrity and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity on said date (see page 5, paragraph 6: "I send you your own calendar. On each day there's some notable achievement done by a person who was exactly as old as you are on that day. For example tomorrow I'll be the same age Jack Kerouac was on the day on the Road was first published").

The Appellant wishes to point out that this logic is completely irrelevant to the rejection of claim 22 (further discussed in claim grouping 4), which is:

> 22) The computer implemented method for providing a user with age-event information of claim 21, wherein said output signal further comprises at least one date in the life of said first individual, wherein the age of said first individual on said date is the same as the age of said second individual at the time of said event.

Moreover, the Examiner's assertion that "Ruane teaches the output signal comprises a celebrity ageliner, wherein said celebrity ageliner names a celebrity and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity on said date" is incorrect.

A celebrity ageliner is defined in the specification on pages 12-13 and Figures 3 and 4. From the specification:

> As shown in FIG. 3, the user is greeted with a screen that presents a "celebrity ageliner." In this case, the celebrity ageliner states that "Today, Bill Clinton is exactly as old as when Rutherford B. Hayes won the 1876 Presidential election over Samuel Tilden, with a minority of the popular vote (19873 days, or 54 years and 4 months old)." The celebrity ageliner thus provide the user a quick – and potentially interesting – demonstration of the functionality and purpose of the web-site, without any user input. The celebrity ageliner is generated from two lists; the first list being a list of well-known, living celebrities, and the second list being the age-event individuals (or a filtered portion of the age-event individuals) in the age-event database. In a preferred embodiment, the celebrity ageliner for a given day changes every time a user visits the site on that day. In another preferred embodiment, celebrity ageliners are selected in advance by the web-site managers from the list of all possible celebrity ageliners for an upcoming day. Clicking on the name of the celebrity in the celebrity ageliner calls up a screen that presents upcoming ageliners for that celebrity (FIG. 4).

From the specification, it is thus clear that the "individual" of claims 2 and 15 is a person distinct from the "celebrity." Thus, in the context of the present invention, Jack Kerouac would most closely correspond to the "individual" of claims 2 and 15, and would not correspond to the "celebrity." Thus, the Examiner's example from Ruane does not name a celebrity that meets the

limitations of the claims. If, as the Examiner's interpretation suggests, Jack Kerouac were the celebrity, the cited example would not include an individual that meets the limitations in the claims.

3. Claim 4

Claim 4 is the method of claim 1, wherein the output signal further comprises said specific date. According to the O.A., "NETG teaches wherein the output signal further comprises a date (see page 10)." However, the date displayed on page 10 is the input birthdate, not "said specific date" from claim 1. In order to teach claim 4, it would be necessary for NETG to provide as output a specific date corresponding to age-event information. A birthdate does not meet this test because it is not the date upon which an individual will be the same age as a historical figure was at the time of a historical event. Moreover, since NETG does not provide age-event information, the alleged teaching of this limitation by NETG is impossible.

4. Claims 21 and 22

Claim 21 is the computer-implemented method for providing a user with age-event information of claim 1, wherein the information received in step a) is related to the age of said first individual, and said method further comprises:

receiving an input signal comprising the name of a second individual;

wherein said output signal comprises age-event information comprising information regarding an event that occurred in the life of said second individual when said second individual was at an age equal to the age of said first individual.

Claim 22 is the computer implemented method for providing a user with age-event information of claim 21, wherein said output signal further comprises at least one date in the life of said first individual, wherein the age of said first individual on said date is the same as the age of said second individual at the time of said event.

While the O.A. (on page 8) provides an argument regarding claim 22, it seems apparent that this argument is irrelevant to claim 22 (see the discussion of claim grouping 2 in this brief). While the O.A. (page 11) provides the following argument in relation to claim 21, no argument that has any relation to claim 22 is provided in the O.A., and thus, the Appellant assumes that the rejection of claim 22 is based on its dependence on claim 21:

> Regarding claim 21, Ruane teaches the computer-implemented method (see page 5, paragraph 9) for providing a user with age-event information of claim 1, wherein the age information received in step a) is related to the age of a first individual (see page 5, paragraph 6: "I send you your own calendar. On each day there's some notable achievement done by a person who was exactly as old as you are on that day. For example tomorrow I'll be the same age Jack Kerouac was on the day on the Road was first published" and said method further comprises: input signal comprising the name of second individual (see page 5: Jack Kerouac Park (sic) is the name of second individual that can be linked to a first individual).

In order to teach claim 21, a name must be provided as an input signal. In Ruane, no name is ever provided as an *input* signal. The name proposed by the

Examiner is "Jack Kerouac Park" (sic), but the name "Jack Kerouac" is an *output* signal of the program proposed (but never implemented) by the fictional character in Ruane, not an input signal. Thus, Ruane does not teach the limitations of claim 21 or claim 22.

B. Claims 8, 12, 16, and 19 stand rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane, and further in view of USPN 6,069,848 issued to Thomas B. McDonald, et al. (hereinafter "McDonald").

In addressing this rejection, the following claim groupings are made: Claims 8, 16, and 19 (Group 5), and Claim 12 (Group 6).

5. Claims 8, 16 and 19.

Claims 8, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over NETG in view of McDonald (USPN 6,069,848), which provides a mechanical device (akin to a stopwatch) that measures elapsed time starting at one or more events.

Claim 8 is the method of claim 1, further comprising the step of generating a customized greeting for said first individual, said greeting comprising age-event information. Claims 16 and 19 are related system and device claims.

According to the O.A., McDonald teaches the step of generating a customized greeting for said first individual, said greeting comprising age-event information (see column 8, lines 46-54). In the final O.A. (page 4), the Examiner further asserts:

> Regarding argument (c) and (d): McDonald discloses a "Happy Anniversary" message. This [is] an age-event message to the anniversary of Jack Kerouac who published "the day of the road" when he was at the age of the first individual.

However, McDonald, column 8, lines 46-54 state:

> Fig. 9 shows a sixth embodiment of the present invention, configured as a mantel clock 400. Clock 400 includes a mantel housing 402 containing the timepiece components, a standard clock function and face 404, and five electronic displays 406. Electronic displays 406 are LCD screens showing elapsed time in different units of time, and a "Happy Anniversary" message. A keypad for data entry and the starting of timekeeping, is contained on the back of housing 402.

Based on the definitions in the specification (see discussion under A.1) and the limitation in claim 1, it is clear that "Happy Anniversary" cannot be construed as age-event information. While it is conceivable that Jack Kerouac might have purchased one of McDonald's clocks on the day his book was published, in order to remind him of the anniversary of that publication (as apparently contemplated by the Examiner in the argument from the O.A., page 4), even that reminder would not meet the definition of age-event information from the specification and from claim 1.

Thus, McDonald does not meet the limitation of claims 8, 16, and 19.

Moreover, there is no legitimate basis for combination of NETG and Ruane with McDonald. According to the final O.A.:

> It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because McDonald's teaching of "generating a customized greeting for said first individual, said greeting comprising age-event information" would have allowed NETG and Ruane's system to provide a timepiece for measuring the elapsed time from a personal life time event, wherein the timepiece can be implemented in a variety of embodiments,

> including a watch, clock, personal organizer, computer screen saver and family tree as suggested by McDonald at column 2, lines 20-26.

McDonald, column 2, lines 20-26 describe the objective of McDonald as "to measure the elapsed time from a personal life time event." However, measurement of elapsed time from a personal life time event, as is provided by the timer of McDonald, is completely unrelated to NETG or Ruane, or for that matter, to the Appellant's invention. There is no suggestion in McDonald that a customized greeting should be provided in the context of a computer-implemented method for providing a user with age-event information that meets the limitations of claim 1. Moreover, the present invention does not provide a timepiece for measuring the elapsed time from a personal life time event—and thus, the relevance of the Examiner's argument to the combination of McDonald, NETG, and Ruane to arrive at the present invention (see section A.1.b.II for a discussion of the criteria that must be met to combine references) is completely unclear.

6. Claim 12.

Claim 12 is the method of claim 3, further comprising the step of generating a life-chart for said first individual, wherein said life-chart comprises age-event information for at least two dates in the life of said first individual.

According to the O.A. (page 12),

> Regarding claim 12, McDonald teaches the step of generating a life-chart for said first individual, wherein said life-chart comprises age-event

information for at least two dates in the life of said first individual (see Fig. 11 and column 9, lines 3-5).

McDonald, Fig. 11, depicts a personal electronic organizer that depicts the name of an individual (Johnny Smith) and the amount of time elapsed since a specific date (October 31, 1990). The accompanying description in column 9, lines 3-5 states: "Display 504 displays the name of an individual, Johnny Smith, his birth date, and the elapsed time from his birth in units of seconds and days."

In order to meet the limitation of claim 12, it would be necessary for a life-chart to comprise age-event information for at least two dates in the life of said first individual. The Examiner does not make clear what two dates in the life of Johnny Smith it believes McDonald's personal organizer displays age-event information for, and it also is clear that the information provided on the display in McDonald, FIG. 9, does not conform to the definition of age-event information from the specification or the claims (also please see the argument under claim grouping 5.)

Moreover, the same arguments with regard to motivation for combining references that are presented with claim grouping 5 also apply to claim grouping 6.

C. Claim 13 stands rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane, and further in view of USPN 5,031,161 issued to David Kendrick (hereinafter "Kendrick").

For continuity with the other arguments, claim 13 is here designated as group 7.

7. Claim 13

Claim 13 is the method of claim 3, further comprising the steps of generating a life-clock display for said first individual, wherein said life-clock display comprises a symbolic representation of the amount of life said first individual has lived and the amount of life said first individual is expected to live before dying; and providing age-event information for said first individual on said life-clock display. A life-clock display is illustrated in FIG. 15 of the specification.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over NETG and Ruane in view of Kendrick (USPN 5,031,161), which provides a life expectancy timepiece that reports an individual's life expectancy based on that individual's current age and other information, at any given time.

The O.A. states that, "Kendrick teaches the steps of generating a life-clock display for said first individual, wherein said life-clock display comprises a symbolic representation of the amount of life an individual has lived and the amount of life said first individual is expected to live before dying (see Figs. 1 and 2; column 1, line 60-column 2, line 4, and columns 4-6); and providing age-event information on said life-clock (see fig. 2)."

Kendrick, fig. 2 shows a watch, which counts down the expected life-span of an individual. No age-event information, as defined in the specification and in the claims (age-event information comprises "information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date"), is provided on Kendrick's timepiece. In the O.A., page 4, the Examiner asserts: "Regarding

argument (e): Kendrick discloses in column 1, line 60-column 2, line 4, approximate time remaining in a user's life. He also discloses storing years, days hours, minutes and seconds of the users and these are related to age-event information." However, it should be obvious that, although these data are related to age-event information (in the sense that any date or quantification of time can be a portion of age-event information), they do not themselves constitute age-event information, as would be required to meet the limitations of the claim.

The Examiner (O.A., page 13) asserts that it would have been obvious to combine Kendrick with NETG and Ruane: "Kendrick's teaching of 'providing age-event information on said life clock' would have allowed NETG and Ruane's system to provide timepieces such as wrist watches and clocks, and more particularly, to a timepiece that displays the number of minutes, days and years remaining in a person's life based on actuarial data as suggested by Kendrick at column 1, lines 5-10." However, no motivating factor is provided in connection with this argument. On pages 4 and 5 of the final O.A., a motivation for combining Kendrick with NETG is asserted: "NETG's system will be improved by providing a timepiece for monitory (sic) and displaying the approximate time remaining in a user's life as suggested by Kendrick (see Abstract). The motivation is that this timepiece will alert people when a person is dying."

None of the references provide any motivation to combine them to do what the patent applicant has done, as is required (see A.1.b.II). Kendrick does not provide age-event information; thus provision of age-event information cannot be part of any motivation for combining Kendrick with any other reference. It is

completely unclear how combination of NETG, Ruane, and Kendrick would yield a timepiece that will alert people when a person is dying, or what possible relationship this could have to the Appellant's invention.

D. Claims 9, 10, 11, 17 and 20 stand rejected under 35 U.S.C. 103(a) as being non-patentable over NETG, in view of Ruane and McDonald, and further in view of USPN 5,983,200 issued to Benjamin Slotznick (hereinafter "Slotznick").

In addressing this rejection, the following claim groupings are made:

Claims 11, 17 and 20 (group 8) and Claims 9 and 10 (group 9).

8. Claims 11, 17, and 20

Claim 11 is the method of claim 3, further comprising the step of generating a customized calendar for said first individual, said calendar containing age-event information for at least two dates. Claims 17 and 20 are corresponding system and method claims.

Claims 11, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over NETG in view of Ruane, McDonald and further in view of USPN 5,983,200 issued to Benjamin Slotznick, which provides an electronic greeting card.

According to the final O.A. (page 15), "Slotznick teaches the step of generating a customized calendar for the target individual (see Fig. 5 step 95 and column 22, lines 23-28).

However, Slotznick, column 22, lines 23-28 state:

> The step of calculating occasion dates (step 96 in FIG. 5) may require additional calculations, such as when the occasion date depends upon periodicities of non-Gregorian calendars. The following description is provided to assist a user of the apparatus 10 in implementing the calendar and date calculation modules to perform such calculations.

Slotznick, FIG. 5 provides a flowchart of a scheme that allows the provision of a calendar customized for a user. The calculation referred to in step 96 and in column 22 refers to the calculation of the proper placement of non-Gregorian dates (such as holidays like Easter or Passover) on such a calendar. These non-Gregorian occasion dates do not have any relationship to age-event information, as would be required for the cited portion of Slotznick to have any relevance to the Appellant's invention. Thus, Slotznick does not teach the additional limitation of claims 11, 17 or 20.

The Examiner goes on to state (O.A., page 15): "It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Slotznick's teaching of "the step of generating a customized calendar for the target individual" would have allowed NETG and Ruane's system to reproduce information itself or in material objects, here and now, or in the future, at a point of sale, or when the information originates either at the point of sale, or at a different place or at a different time or times as suggested by Slotznick at column 3, lines 7-11." Simply showing that a combination between references is possible is not the same as showing a motivation to combine—and the O.A. does not provide any motivation (besides impermissible hindsight) to make the combination. Moreover, it is necessary to show a motivation to combine

references to do what the patent applicant has done—a test that the Examiner's reasoning fails, because "reproduction of information itself or in material objects. . ." has nothing to do with providing age-event information for at least two dates on a customized calendar.

9. Claims 9 and 10

Claims 9 and 10 are dependent on claim 8, and relate to the customized greeting of claim 8 being an electronic greeting card or a greeting card produced at a kiosk.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over NETG in view of Ruane, McDonald and Slotznick. According the Examiner, Slotznick teaches the customized greeting is an electronic greeting card. But, from claim 8, the customized greeting must comprise age-event information, which Slotznick does not do. Thus, claims 9 and 10 are patentable for the same reason that claim 8 is.

The cited motivation for combining NETG with Ruane, McDonald and Slotznick is "It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Slotznick's teaching of "customized greeting is an electronic greeting card" would have allowed NETG, Ruane and McDonald's system to reproduce information itself or in material objects, here and now, or in the future, at a point of sale, or when the information originates either at the point

of sale, or at a different place or at a different time or times as suggested by Slotznick at column 3, lines 7-11."

However, this passage from Slotznick merely describes the purpose of Slotznick. This passage provides no information regarding the desirability of combining with other references. Simply asserting that it is possible to combine references is not sufficient as motivation to combine those references.

In fact, by providing information in the context of a Zoological Park, NETG appears to teach against the provision of customized greetings.

viii. Claims Appendix

LISTING OF CLAIMS

1) A computer-implemented method for providing a user with age-event information comprising:

a) receiving an input signal;

b) determining age information from said input signal;

c) using said age information to search a database for age-event information corresponding to said age information; and

d) providing an output signal comprising age-event information corresponding to said age information;

wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.

2) The method of claim 1, wherein the input signal comprises a date, and the output signal comprises a celebrity ageliner, wherein said celebrity ageliner names a celebrity and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity on said date.

3) The method of claim 1, wherein the input signal comprises age information relating to a first individual, and the output signal includes a reference to said first individual.

4) The method of claim 1, wherein the output signal further comprises said specific date.

5) The method of claim 1, wherein the input signal comprises a birthdate.

6) The method of claim 1, wherein said input signal represents an age.

8) The method of claim 1, further comprising the step of generating a customized greeting for said first individual, said greeting comprising age-event information.

9) The method of claim 8, wherein the customized greeting is an electronic greeting card.

10) The method of claim 8, wherein the customized greeting is a greeting card produced at an automated greeting card kiosk.

11) The method of claim 3, further comprising the step of generating a customized calendar for said first individual, said calendar containing age-event information for at least two dates.

12) The method of claim 3, further comprising the step of generating a life-chart for said first individual, wherein said life-chart comprises age-event information for at least two dates in the life of said first individual.

13) The method of claim 3, further comprising the steps of generating a life-clock display for said first individual, wherein said life-clock display comprises a symbolic representation of the amount of life said first individual has lived and the amount of life said first individual is expected to live before dying; and providing age-event information for said first individual on said life-clock display.

14) A computer system for providing age-event information, comprising:

a) computer processor means for processing data;

b) storage means for storing data on a storage medium;

c) means for receiving input;

d) means for determining age information from said input;

e) means for using said age information to search a database for age-event information corresponding to said age information; and

f) means, responsive to said age-determining means, for outputting age-event information to a user;

wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.

15) The computer system of claim 14, further comprising means for generating a celebrity ageliner, wherein said celebrity ageliner names a celebrity

and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity.

16) The computer system of claim 14, further comprising means for generating a customized greeting from the user to a first individual, said greeting comprising age-event information.

17) The computer system of claim 14, further comprising means for generating a customized calendar, said calendar containing age-event information for at least two dates.

18) A computer memory storage device encoded with a computer program for using a computer system to provide age-event information comprising:

a) means for receiving input;

b) means for determining age information from said input;

c) means for using said age information to search a database for age-event information corresponding to said age information; and

d) means for providing age-event information as output;

wherein said age information comprises the age of a first individual on a specific date and said age-event information comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date.

19) The computer memory storage device of claim 18, further comprising means for generating a customized greeting from the user to said first individual, said greeting comprising age-event information.

20) The computer memory storage device of claim 18, further comprising means for generating a customized calendar, said calendar containing age-event information for at least two dates.

21) The computer-implemented method for providing a user with age-event information of claim 1, wherein the information received in step a) is related to the age of said first individual, and said method further comprises:

receiving an input signal comprising the name of a second individual;

wherein said output signal comprises age-event information comprising information regarding an event that occurred in the life of said second individual when said second individual was at an age equal to the age of said first individual.

22) The computer implemented method for providing a user with age-event information of claim 21, wherein said output signal further comprises at least one date in the life of said first individual, wherein the age of said first individual on said date is the same as the age of said second individual at the time of said event.

ix. Evidence Appendix

Evidence supporting the arguments in this brief are found in the Examiner's final Office Action, and the references that were cited in said Office Action.

x. Related Proceedings Appendix

There are no related proceedings known to the appellant.

Conclusion

To recapitulate, the Examiner has provided four separate grounds of rejection. The Appellant has argued against rejection of 9 separate groups of claims, including the independent claims. Of course, if the independent claims are patentable, as they would be, for example, if the non-analogous reference Ruane is removed, all dependent claims are also patentable. For the foregoing reasons, the appellant submits that the rejections of the claims should be reversed.

Very Respectfully,

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